

9/15/08 - Monday, September 15, 2008

CITY OF EAU CLAIRE PLAN COMMISSION MINUTES

Meeting of September 15, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Buchanan, FitzGerald, Kayser, Waedt, Duax, Larson, Seymour, Pearson, Kaiser

Staff Present: Messrs. Tufte, Reiter, Genskow, Peters, Ivory

The meeting was chaired by Mr. Kaiser.

1. REZONING (Z-1423-08) “ R-2 to R-3P, 1407 State Street

Mary Ruffedt has submitted a request to rezone property located at 1407 State Street from R-2 to R-3P and to adopt the General Development Plan for a lodging house (4 unrelated persons). Mr. Tufte stated that staff is very concerned with a possible precedent that would be set if the request were approved. The Comprehensive Plan>

Mary Ruffedt, 3314 Fear Street, applicant, spoke in support. She distributed booklets to the members containing MLS information on the property, plus photos of adjacent property and their occupancy type. She described how this property has been rehabilitated and has been on the market for over two years without an acceptable offer because of its location and deficiencies. Allowing the rezoning and the property to be rented to 4 persons increases the properties marketability. She summarized that the only legitimate use of the property is for investment purposes.

John Hanson, 1407 State Street, owner, spoke in support of the rezoning. He purchased the home in 1996 and proceeded to repair the building because of its rundown condition. He estimated that he has invested at least \$125,000 in repairs. He and his wife are retired and they need to sell the house and move to Minnesota. They have reduced the asking price by \$35,000. He noted that the neighborhood has become mostly rental since they moved into the house.

Stuart Hagen, Mondovi, Wisconsin, and owner of adjacent properties, spoke in support of the rezoning. He felt the best use of the property was rental for up to 6 persons.

Mary Mickel, 330 Bartlett Court, spoke in opposition. She described her home situation as similar in nonconformity but that there is a market for such housing in Eau Claire at a lower price.

Kathy Attermeier, 334 Garfield Avenue, spoke in opposition. She noted there were other single-family homes along State Street, south of Garfield Avenue. She felt the request was too drastic of a change for this neighborhood.

Carlyn Conway, 340 Garfield Avenue, spoke in opposition. She felt the house would sell, especially if the price were reduced.

Mr. Buchanan stated that the home seller™s situation is very confined but saw little option for a solution since the property was nonconforming to meet lodging house standards anyway.

Mr. FitzGerald moved to recommend approval of the rezoning. Mr. Waedt seconded and the motion failed unanimously citing the findings in the staff report.

2. REZONING (Z-1425-08) “ TR-1A to C-3P, 3665 London Road

Royal Construction has submitted a request to rezone this parcel at 3665 London Road from Temporary R-1A to C-3P and to adopt the General Development Plan for the Dove Health Care facility. This parcel was recently annexed with an existing house, which will be removed, and the lot will become open space for the health facility.

No one appeared in support or opposition.

Mr. FitzGerald moved to recommend approval. Mr. Kayser seconded and the motion carried. Mr. Pearson abstained.

3. REZONING (Z-1426-08) “ R-1A to R-3P, Hagman Street and SITE PLAN (SP-0831) “ Three 4-plexes, Hagman Street

John Schepke has submitted a request to rezone property located on the north side of Hagman Street from R-1A to R-3P and to adopt the General Development Plan (site plan) for 4-plex development. The site plan for the rezoning also shows two 4-plexes on existing lots to the west which will be developed with this third lot. The Comprehensive Plan>

John Schepke, applicant, spoke in support. He stated that he would include sidewalk on the north side of Hagman Street since the south side is a power line corridor. He would also like the option to move the proposed cul-de-sac turn-around bulb from the street center to land on the south side if he can get agreement from Xcel Energy, which owns the land. Mr. Genskow stated that either option is okay with Public Works.

William Meyer, 4115 Jeffers Road, and representing the Real Life Condo Association, spoke in opposition to the rezoning. He felt the last 4-plex would result in the loss of a number of trees and questioned the drainage since the existing 4-plexes had to include sump pumps to keep their basements water free. He also believed there were natural springs in the hill.

Judy Miller, 4115 Jeffers Road, also spoke in opposition. She did not want to lose the trees from the property.

Mr. FitzGerald moved to recommend approval of the rezoning and the site plan with the conditions in the staff report, with a modification to condition #1 to allow a south off-set of the cul-de-sac should the applicant secure approval for the land. Mr. Buchanan seconded and the motion carried.

4. CERTIFIED SURVEY MAP (CSM-8-08) “ Elderberry Lane, Town of Washington

Hiess-Loken Associates has submitted a Certified Survey Map (CSM) with right-of-way dedication for extension of Elderberry Lane in the Town of Washington. The CSM dedicates right-of-way to extend Elderberry Lane 630TM west from the existing location. A temporary cul-de-sac will be provided for the development of the two new lots at the end. The lot split meets the CityTMs 1 lot/10-acre density standard.

Mr. Duax moved to recommend approval with the condition listed in the staff report. Mr. FitzGerald seconded and the motion carried.

5. ACQUISITION “ Blue Valley Subdivision, Town of Union

Mr. Dale Peters presented a request to allow the acquisition of approximately 8 acres of vacant land from the Blue Valley Subdivision, which borders the land of the Blue Valley landfill. The City currently maintains development conservations on other adjacent land. The City may place extraction wells on this land in the future.

Mr. Buchanan moved to recommend approval of the acquisition. Mr. Kayser seconded and the motion carried.

6. SITE PLAN (SP-0834) “ Western Wisconsin Urology, W. Hamilton Avenue

Scott Kramer has submitted a site plan for Western Wisconsin Urology to be located near the northeast corner of W. Hamilton Avenue and Stein Boulevard. The site plan shows an 11,790 square foot building with 61 parking stalls. Access is via a driveway within this area from W. Hamilton Avenue.

Robb Majeski, 2519 Cottonwood Lane, Altoona, appeared in support. He stated that they have spoken to the neighbors about the building. The developers prefer a vegetative screen from the residential back lots. He also stated they are working with the other office buildings for a parking reconfiguration and will work on pedestrian paths.

Mr. Kayser moved to approve the site plan with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

7. SITE PLAN (SP-0835) “ Rooming House, 1108 Second Avenue

Linda Sunde has submitted a site plan for a rooming house at 1108 Second Avenue. The site plan shows an existing building with a 12-stall parking lot. The previous use of the building was a CBRF and a church before that.

No applicant spoke although they were present.

Mr. Pearson moved to approve the site plan with the conditions listed in the staff report. Mr. Buchanan seconded and the motion carried.

8. DISCUSSION

A. Billboard Retrofits

Mr. Ivory presented a revised draft of a proposed amendment to the Sign Code, which would allow structural changes to nonconforming billboards by replacing sign faces. Previous discussions with the board indicated that such sign face changes would be allowed if the value of the replacement were under 50% of the assessed value. Lamar Company, the amendment proponents, wanted that value changed to indicate 50% of the replacement value of the sign. This is because most signs have a very low assessed value, yet the cost of face changes to the newer veneer will most likely be higher than the assessed value.

Bill Mitchell and Rich Reinart, Lamar Company, from Marshfield, Wisconsin, explained that the value will be set at one time at the beginning of the sign face replacement. They also estimated that of the 36 signs they maintain in Eau Claire, 32 are considered nonconforming.

Mr. Ivory stated that signs can be nonconforming due to many factors such as setback, zoning, spacing, size, height, and number of sign faces. He will provide a map showing the location of the billboards at the public hearing.

The board discussed the rate of reduction of nonconforming signs and the restrictiveness of the billboard sign code, which created many nonconforming signs when it was originally adopted many years ago. They also discussed the value to the community of replacing the sign faces as opposed to not allowing changes. It was the consensus of the board to schedule the ordinance for public hearing.

B. Sustainability, Comprehensive Plan Amendment

Mr. Tufte presented drafts of a baseline statement on sustainability for Eau Claire and also a list of possible sustainability issues, which the community may face. These items will be presented at the first workshop, September 25, 2008, on the proposed Comprehensive Plan amendments concerning sustainability. Other information will be provided on three other cities that have defined their community™s sustainable efforts. The list of workshop dates was also submitted to the commission. Members are encouraged to attend to their fullest extent. Approximately 130 invitations have been sent out to the community. Mr. Larson suggested topics be added concerning density and tree preservation. It was the consensus of the commission to proceed with the amendment process.

C. Waterways and Parks Commission Review

Mr. Tufte presented for discussion a statement in the Comprehensive Plan that considers the expansion of the Waterways and Parks Commission review of development proposals that are adjacent to parks or greenways and only separated by a public right-of-way. Mr. Tufte listed 5 staff concerns with this proposal, including the lack of standards and guidelines for their review of such developments. He also mentioned that the Parks Department Director felt any specific item could be referred for comment with sufficient clarity rather than requiring all such proposals whenever the Plan Commission felt the need for such input. Otherwise, this will create time delays for many projects and increase their already full agendas. It was the consensus of the commission that they would precede on an as-needed basis.

9. MINUTES

The minutes of the meeting of September 2, 2008, were approved.

Fred Waedt
Secretary